

e. **Remarks**

CLAIM AMENDMENTS

The amendment to claim 1 is, e.g., supported by Figure 3.

Claim 24 has been amended to incorporate the features of original claim 25.

DRAWINGS

Par. 2 of Office Action

In Figure 4, “evolation” has been replaced by --evolution-- in step 24 as shown on the original drawing for Figure 4.

Par. 3 of Office Action

In Figure 3, reference numeral 10 has been deleted.

In Figure 11, reference numeral 100 has been deleted.

Par. 4 of Office Action

In Figure 1, reference numeral 2 has been inserted to bring the figure into conformity with the description at page 3, line 25.

In Figure 5, reference numeral 30 has been inserted to bring the figure into conformity with the description at page 7, line 28.

SPECIFICATION

Par. 5 of Office Action

At page 1, lines 2 – 4, an amendment has inserted the application number of the priority document.

At page 6, line 2, “MB₁- MB_n” has been replaced by -- DB₁- DB_n -- to bring the description into conformity with Figure 3.

In light of the above amendments, Applicants request that the objections to the specification and Figures be withdrawn.

NOVELTY REJECTIONS

a) **At page 4, the Office Action rejects independent claims 1 and 15 as anticipated by “Wireless Simulation and Self-Organizing Spectrum Management” by Borst et al, Bell Labs Technical Journal, vol. 2, no. 3 (1997) pages 81 – 98 (Herein, referred to as Borst.).**

In particular, the Office Action cites Borst,

page 82, right col., lines 18 – 29 and 40 – 43;

page 83, right col., lines 5 – 16;

page 84, right col., lines 22 – 31; and

page 90, lines 2 – 4 and 21

as teaching the features in these claims. See Office Action, page 4, lines 10 - 23; page 5, lines 16 –20; page 6, lines 1 – 11. The above-cited portions of Borst do not teach all features of amended claim 1 or of claim 15.

Claim 1

Borst does not disclose “sending the lists of produced channel rankings [i.e., the lists produced by the simulation] to associated base stations ..., where the base stations “are configured to assign channels ... based on the ... associated ones of the lists” as recited in amended claim 1. In particular, pending claim 1 states that the lists produced by the simulation are themselves sent to base stations and that the base stations are actually configured to use the sent lists to determine how to service communications. Rather than actually sending the lists produced by the simulation to the actual base stations, i.e., as in amended claim 1, the above-cited sections of Borst disclose using a simulation tool to evaluate the global performance of a designed wireless system. In particular, Borst states:

The simulation tool facilitates analysis of the new channel allocation scheme before implementation is completed The primary objective of the simulation study is to quantify the macroscopic effects of algorithms performed locally at each base station on the global performance of the network. Global performance measures of particular interest include call blocking rates, voice quality measures, and the average number of handoffs per call. Service providers require substantiation of such performance effects before deploying critical resource allocation functionality in their networks.

Borst, page 82, last par., to page 83, first par. (underlining added).

This portion of Borst discloses that his simulation tool produces measures that quantify the macroscopic performance of a wireless system, i.e., performance measures. For example, his simulation tool may predict values for blocking rates, voice qualities, and/or numbers of handoffs. In contrast, the process of pending claim 1 produces lists of channel rankings and sends the produced lists to the actual base stations, where the lists can be used to subsequently service communications. That is, the produced lists of channel rankings can be used by the base stations in determining how to process

communications with mobile units. The claimed process produces data to enable the base stations to operate as opposed to providing global measures of performance like the simulation tool of Borst.

Due to the absence of a teaching for “sending of the lists of [simulation] produced channel rankings to associated base stations”, the cited sections of Borst do not anticipate amended claim 1.

Claim 15

Borst does not “assign the lists of the produced channel rankings [i.e., the lists produced by the simulation] to the base stations for use in assigning channels to service communications with mobile units” as recited in claim 15. In particular, claim 15 recites that the lists produced by the simulation are themselves assigned to base stations and that the base stations are configured to use the assigned lists from the simulation to determine how to service subsequent communications. As already discussed, rather than actually assigning the lists produced by the simulation to the actual base stations, the cited sections of Borst disclose using the simulation tool to evaluate global performance of a wireless system. For example, his simulation tool may produce values of blocking rates, voice qualities, and/or numbers of handoffs. In contrast, the pending claim 15 recites a program that produces the lists of the channel rankings themselves and actually assigns the lists to the base stations so that the base stations can use the produced lists to subsequently determine how to process communications with mobile units. Due to the absence of a teaching for the above feature, the cited sections of Borst do not anticipate claim 15.

b) At page 4, the Office Action also rejects dependent claims 2 – 4 and 16 – 18 as anticipated by Borst.

Dependent claims 2 – 4 and 16 – 18 are novel over Borst at least by their dependence on novel amended claim 1 or on claim 15.

c) At pages 4 and 7 – 8, the Office Action rejects claims 24 - 25 as anticipated by Borst.

In particular, the Office Action cites Borst,

page 82, right col., lines 19 – 36 and 40 – 43;
page 83, right col., lines 5 – 16;

page 84, left col. line 84, to right col., line 31;
page 90, right col., lines 18 - 26; and
Figs. 1 – 3, 5, and 6

as teaching various ones of the features in these claims. See Office Action, page 7.

Amended claim 24 incorporates the features of original claims 24 and 25. The above-cited portions of Borst do not teach all features of amended claim 24.

Amended Claim 24

Borst does not disclose a “link supporting ... transmissions of the produced lists of channel rankings [i.e., lists produced by simulation] to the base stations” as recited in amended claim 24. In particular, amended claim 24 recites that the link supports transmission of the produced lists themselves to the actual base stations. Rather than transmitting lists of channel rankings to the actual base stations, the above-cited sections of Borst disclose a simulation tool that evaluates the global performance of a wireless system. For example, Borst’s simulation tool may produce such global performance measures as blocking rates, voice qualities, and/or numbers of handoffs. In contrast, amended claim 24 recites that the link supports transmitting the lists of channel rankings themselves to the base stations. Due to the absence of a teaching for this feature, the cited sections of Borst do not anticipate amended claim 24.

d) At page 4, the Office Action also rejects dependent claims 26 and 28 as anticipated by Borst.

Dependent claims 26 and 28 are novel over Borst at least by their dependence on novel amended claim 24.

OBVIOUSNESS REJECTIONS

e) At page 11, the Office Action rejects claim 5 – 13 and 19 – 23 as obvious over Borst combined with US Patent 6,496,698 (Herein, referred to as Jensen.).

Dependent claims 5 - 13 are non-obvious, at least, due to their dependence on non-obvious amended claim 1.

Dependent claims 19 – 23 are non-obvious, at least, due to their dependence on non-obvious base claim 15.

f) At page 18, the Office Action rejects claim 14 as obvious over Borst, Jensen, and EP Patent Doc. 0817521 (Herein, referred to as Anderson.).

Dependent claim 14 is non-obvious, at least, due to its dependence on non-obvious amended claim 1.

g) At page 19, the Office Action rejects claim 27 as obvious over Borst and US Patent 5,926,763 (Herein, referred to as Greene.).

Dependent claim 27 is non-obvious, at least, due to its dependence on non-obvious amended claim 24.

CONCLUSION

For the above reasons, Applicants request allowance of claims 1 – 24 and 26 – 28 as currently pending.

No fee is believed necessary. In the event of any non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Lucent Technologies Deposit Account No. 12-2325** to correct the error.

Respectfully,



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Lucent Technologies Inc.

Docket Administrator

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